

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

CHARLES RASO, TRUSTEE OF THE
MASSACHUSETTS BRICKLAYERS
AND MASONS HEALTH AND
WELFARE, PENSION AND ANNUITY
FUNDS,

Plaintiff,

v.

STONEWORKS BY RAND,

Defendant.

Civil Action No. 03-12535-RCL

DEFENDANT'S LR 26.2(A) AUTOMATIC DISCLOSURE

Defendant, Stoneworks by Rand ("Stoneworks"), makes the following automatic disclosure in accordance with LR 26.2(A) and Fed. R. Civ. P. 26(a)(1):

A. The name and, if known, the address and telephone number of each individual likely to have discoverable information relevant to disputed facts alleged with particularity in the pleadings, identifying the subjects of the information.

1. Charles Raso
Plaintiff's Trustee
550 Medford Street
Charlestown, MA 02129
(617) 242-5500

Knowledge regarding Plaintiff's claims.

2. J. Jeffrey Rand
Stoneworks by Rand
326 U.S. Route 1
Scarborough, ME 04074

Knowledge of Plaintiff's claims and Defendant's defenses.

3. Lisa Schlosser
c/o Stoneworks by Rand
326 U.S. Route 1
Scarborough, ME 04074

Knowledge regarding contributions made by Defendant and circumstances concerning an on-site audit by Plaintiff.

4. Richard Forcione
550 Medford Street
Charlestown, MA 02129
(617) 242-5500

Knowledge regarding the Parties' relationship and contributions made by Defendant.

B. A copy of, or a description by category and location of, all documents, data compilations, and tangible things in the possession, custody, or control of the party that are relevant to disputed facts alleged with particularity in the pleadings.

1. Bricklayers and Allied Craftsmen Local Union No. 3 Eastern Massachusetts collective bargaining agreement.
2. Independent Agreement between Stoneworks by Rand and Bricklayers and Allied Craftsmen Local Union No. 3 of Eastern Massachusetts, dated November 6, 2001.
3. Payroll information for Stoneworks by Rand.
4. Payroll information for Rand Stoneworks.
5. Documents relating to payment of contributions by Defendant to Plaintiff.
6. Correspondence between the Parties relating to fund contributions, audits and/or work performed by Defendant.

C. A computation of any category of damages claimed by the disclosing party, making available for inspection and copying as under Rule 34 the documents or other evidentiary material, not privileged or protected from disclosure, on which such computation is based, including materials bearing on the nature and extent of injuries suffered.

Not applicable.

D. Any insurance agreement under which any person carrying on an insurance business may be liable to satisfy part or all of a judgment which may be entered in the action or to indemnify or reimburse for payments made to satisfy the judgment.

No insurance coverage is known to exist at this time. Defendant will supplement promptly if information regarding coverage develops.

Defendant reserves the right to supplement or amend its disclosure.

STONWORKS BY RAND,
By its attorneys,

/s/ Daniel J. Blake
Daniel J. Blake (BBO #552922)
Heather C. Krauss (BBO #644457)
EPSTEIN, BECKER & GREEN, P.C.
111 Huntington Avenue
Boston, MA 02199
(617) 342-4000

Dated: March 24, 2004

CERTIFICATE OF SERVICE

I, Daniel J. Blake, hereby certify that, on this 24th day of March, 2004, I served one copy of the foregoing document by U.S. Mail on counsel for Plaintiff, Catherine M. Campbell, Fineberg, Campbell, and Zack, P.C., 177 Milk Street, Boston, MA, 02109.

/s/: Daniel J. Blake _____
Daniel J. Blake